Case 1:15-cv-07997-VSB Document 86 Filed 11/08/16 Page 1 of 2

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APPLICATION GRANTED
SO ORDERED
VERNON S. BRODERICK
U.S.D.J. 11/9/2016

VIA ECF ONLY

November 8, 2016

The Honorable Vernon S. Broderick
United States District Court
Southern District of New York
40 Foley Square
New York, New York 10007

Re: ***Dwayne Francis v. City of New York, et al.***
Index No. 15-CV-07997 (VSB)(AJP)

Your Honor:

I am an associate attorney at Rankin & Taylor, PLLC, attorneys for the plaintiff in the above-referenced matter. I write to submit the parties' proposed scheduling order, and to clarify the amended pleading filed in response to the Court's Order.

By way of background, plaintiffs requested leave to file an amended complaint naming additional defendants and correcting the name of defendant "Angel Figeroa" to "Angel Figueroa" pursuant to information provided to plaintiff by defendants. DE 80. While defendants did not consent to newly added parties, defendants consented to the correction of defendant Angel Figueroa's name on the complaint and in the caption. Id.

On October 21, 2016, the Court held a conference in regards to plaintiff's motion, at which the Court granted plaintiff leave to file the Fourth Amended Complaint naming defendant Edward Leon on or before November 4, 2016. DE 87. On November 4, 2016, plaintiff filed the Fourth Amended Complaint. DE 88. Inadvertently, in filing the amended complaint defendant Edward Leon was not entered into ECF and the corrected spelling of Angel Figueroa was flagged as a new party. Plaintiff was notified that leave of the Court would be required to correct this error. Id.

Plaintiff respectfully requests permission of the Court to correct the caption and docket to reflect newly added defendant Edward Leon - as newly named in plaintiff's Fourth Amended Complaint pursuant to the Court's order, as well as the correct name of defendant Angel Figueroa.

Additionally, plaintiff apologizes to the Court for the late submission of the revised case management plan, attached hereto as Exhibit A, pursuant to the Court's

Case 1:15-cv-07997-VSB Document 98 Filed 11/09/16 Page 2 of 2

Order dated October 25, 2016. DE 87.

Plaintiffs thank the Court for its time and attention to this request.

Respectfully submitted,

Gillian Cassell-Stiga

cc: A.C.C. Maria Fernanda Decastro (*via ecf only*)
Alexander Shindler (*via ecf only*)
Tanya M. Branch (*via ecf only*)